



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Kenneth A. Jansen

Serial No.: 10/695,202

Filed: October 28, 2003

For: SYSTEM AND METHOD FOR
PIVOTAL INSTALLATION AND
REMOVABLE OF A CIRCUIT
BOARD FROM A CHASSIS

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Group Art Unit: 2841

Examiner: Bui, H.

Atty. Docket: COMP:0256--1/FLE
200302155-2

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

CERTIFICATE OF TRANSMISSION OR MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office in accordance with 37 C.F.R. 1.6(d) or is being deposited with the U.S. Postal Service, with sufficient postage, as First Class Mail in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313, on the date below:

September 13, 2004

Date

Michael G. Fletcher

Sir:

**PETITION UNDER 37 C.F.R. § 1.181 IN RESPONSE TO NOTICE
OF INCOMPLETE NONPROVISIONAL APPLICATION**

In the Notice of Incomplete Nonprovisional Application mailed on August 23, 2004, the Examiner requests that Applicant file a new declaration, a surcharge, and drawings. Applicant respectfully responds as follows.

On October 28, 2003, Applicant filed the above-referenced application along with a Request for a Continuing Application under 37 C.F.R. § 1.53(b). Specifically, the above-referenced application claims priority to application serial no. 10/041,010, filed on January 7, 2002. The papers filed on October 28, 2003, included: (1) a Request for a Continuing Application; (2) an Information Disclosure Statement; (3) a specification and claims; (4) drawings; (5) a copy of the Declaration from the parent application; (6) and Preliminary Remarks.

A self-addressed postcard was filed along with these papers, evidencing that each of these papers was filed by Express Mail on October 28, 2003. The postcard evidencing receipt of all of these papers by the USPTO is attached as Exhibit 1. It should be noted that the returned postcard includes the PTO stamp evidencing that the above-referenced application was assigned Serial No. 10/695,202 and accorded a filing date of October 28, 2003. It should further be noted that the postcard lists all of the items mentioned above, *including the declaration and the drawings*. In regard to the handling of postcards and the items filed therewith, M.P.E.P. § 503 requires:

The person receiving the item(s) in the USPTO will check the listing on the postcard against the item(s) being filed to be sure that they are properly identified and that all the items listed on the postcard are presently being submitted to the PTO. If any of the items listed on the postcard are not being submitted to the PTO, those items will be crossed off and the postcard initialed by the person receiving the items.

Since the item listed as "drawings" is not crossed off the returned postcard, Applicant respectfully submits that the drawings were indeed among the papers originally filed by Applicant on October 28, 2003. Accordingly, since the PTO has apparently misplaced the drawings since their date of receipt, Applicant hereby provides an additional copy of the drawings in the attachment labeled Exhibit 2. Furthermore, because the present application is a continuation application, and because a copy of the Declaration from the parent application has already been filed, Applicant respectfully submits that a newly executed oath or declaration is not required.

In view of the above, Applicant respectfully requests that the PTO find that the drawings were originally submitted with the continuing application filed on October 28, 2003, and that the PTO misplaced such drawings. Accordingly, Applicant respectfully

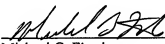
requests acceptance of the replacement drawings filed herewith. Applicant further respectfully requests that the PTO accept the copy of the Declaration from the parent application and accord the present application a filing date of October 28, 2003.

It is not believed that any fees are required for filing this Petition due to the mistake being on the part of the Patent Office. However, the Commissioner is hereby authorized to charge Deposit Account No. 08-2025; Order No. COMP:0256-1 for any fees which may be required.

If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number below.

Respectfully submitted,

Date: September 13, 2004



Michael G. Fletcher
Reg. No. 32,777
(281) 970-4545

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, Colorado 8-527-2400

FLETCHER YODER
PO Box 692289
HOUSTON, TEXAS 77269-2289



031088 U.S. PTO
10/695202

Please indicate receipt of
the below-identified paper:



102803

☐ New Application ☐ Specification: _____ Pages: _____ Drawings: _____ Sheets
☒ Continuation ☐ Divisional ☐ CIP ☐ CVA
☐ Response to Office Action dated _____ ☐ Final Rejection
☒ Other _____ Request for a Continuing Application, JDS, PTO-1495, Patent Application,
Declaration from Parent Application, Drawings, Preliminary Remarks, postcards (2)
☐ Assignment enclosed ☐ Gift-Of-Timely Mailing ☒ Express Mail

Identification of Application:

Serial No. _____ Unassigned
Title _____ System And Method For Pivot Installation And Removal Of A Circuit
Board From A Chassis
Applicant _____ Kenneth A. Jansen
Client _____ Hewlett-Packard Development Company
File No. _____ 200302155-2 (COMP-0156-1/FLE) Attorney _____ FLE/GRA
Mailed _____ 10/28/2003 _____ Filed _____ 10/28/2003 _____ Due Date _____



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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/695,202	10/28/2003	Kenneth A. Jansen	200302155-2

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

CONFIRMATION NO. 4520

FORMALITIES LETTER



0000000013620612

Date Mailed: 08/23/2004

NOTICE OF INCOMPLETE NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

A filing date has NOT been accorded to the above-identified application papers for the reason(s) indicated below.

All of the items noted below and a newly executed oath or declaration covering the items must be submitted within **TWO MONTHS** of the date of this Notice, unless otherwise indicated, or proceedings on the application will be terminated (37 CFR 1.53(e)). Replies should be mailed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

The filing date will be the date of receipt of all items required below, unless otherwise indicated. Any assertions that the item(s) required below were submitted, or are not necessary for a filing date, must be by way of petition directed to the attention of the Office of Petitions accompanied by the \$130.00 petition fee (37 CFR 1.17(h)). If the petition states that the application is entitled to a filing date, a request for a refund of the petition fee may be included in the petition. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

- The application was deposited without drawings. 35 U.S.C. 113 (first sentence) requires a drawing "where necessary for the understanding of the subject matter sought to be patented." Applicant should reconsider whether the drawings are necessary under 35 U.S.C. 113 (first sentence).

Replies should be mailed to: Mail Stop Missing Parts
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A copy of this notice **MUST** be returned with the reply.

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